

1. This action arises under the United States Constitution, the Civil Rights Act, Title 42 of the United States Code, Section 1983, and pendent jurisdiction.
2. This Court has jurisdiction of this cause under and by virtue of Title 28 of the United States Code, Section 1343. Venue is proper under 28 U.S.C. 1391(b).

PARTIES AND ACTS

3. Plaintiff, CRYSTAL ELUSTRA, is a citizen of the United States of America and a resident of the City of Burbank, County of Cook and State of Illinois.
4. Plaintiff, MORIAH ELUSTRA, is a citizen of the United States of America and a resident of the City of Burbank, County of Cook and State of Illinois.
5. Plaintiff, NAJATI ELUSTRA, is a citizen of the United States of America and a resident of the City of Burbank, County of Cook and State of Illinois.
6. Defendant Police Officer, TOM MINEO, is now and at all times material to this action duly appointed, employed and acting policeman of the Village of Frankfurt, Illinois.
7. Defendant, Buffalo Wild Wings, is a proprietorship organized under the laws of the State of Illinois and engaged in the business of operating a restaurant establishment, located at 20596 South LaGrange Road, in the City of Frankfurt, State of Illinois and the County of Will.

COUNT I - CIVIL RIGHTS 1983 ACTION

1. On July 22, 2007, Plaintiffs were at Buffalo Wild Wings, located at 20596 LaGrange Road, Village of Frankfurt, State of Illinois.
2. At that time the Defendant, Frankfort Police Offer TOM MINEO, arrived on the scene in response to a "disturbance" between

Plaintiffs and an employee of Buffalo Wild Wings.

3. At said time and location, defendant was notified by Plaintiffs of the circumstances of the disturbance at Buffalo Wild Wings.
4. The Defendant, without legal justification or provocation, grabbed and battered Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA AND NAJSTI ELUSTRA, and twisted the wrists of Plaintiff, CRYSTAL ELUSTRA, causing injuries.
5. In order to cover up this unjustifiable assault of the Plaintiffs, the defendant police officer fabricated a story that Plaintiff had caused alarm to other patrons and employees in Buffalo Wild Wings.
6. Each and all of the acts that the Plaintiffs allege herein were done by Defendant, TOM MINEO, not as an individual, but under the color and pretense of the statutes, ordinances, regulations, customs and usages of the State of Illinois, Village of Frankfurt, and the County of Will; and under his authority as a police officer for said Village and County.
7. The unjustifiable assault of the plaintiffs by defendant was a direct and proximate cause of his pain, suffering, mental distress, anguish, humiliation and embarrassment.
8. Defendant, Frankfort Police Officer TOM MINEO's, acts were committed in violation of Plaintiff's Fourteenth Amendment right to be free from summary punishment and deprivation of liberty without due process of law and his Fourth and Fourteenth Amendment rights be free from unreasonable arrest, searches and seizures.

WHEREFORE the Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA AND NAJSTI ELUSTA , demands judgment against the Defendant, TOM MINEO, for the sum of ONE MILLION DOLLARS, (\$1,000,000.00) in actual or compensatory damages, jointly and severally against defendant because this defendant acted maliciously, willfully and wantonly and ONE MILLION DOLLARS (\$1,000,000.00) in punitive damages against the defendant plus costs, attorney's fees, and other such additional reliefs as this Court deems equitable and just.

COUNT II - ASSAULT AND BATTERY

1-9. Plaintiffs realleges and restates Paragraphs 1 through 8 of Count I as if the same were fully set forth as Paragraphs 1 through 8 of Count II.

9. The acts of defendant as described above were done intentionally or with such reckless disregard for their natural consequences as to constitute assault and battery under the laws and Constitution of the State of Illinois and id directly and proximately cause the injuries, pain and suffering of Plaintiff as alleged above.

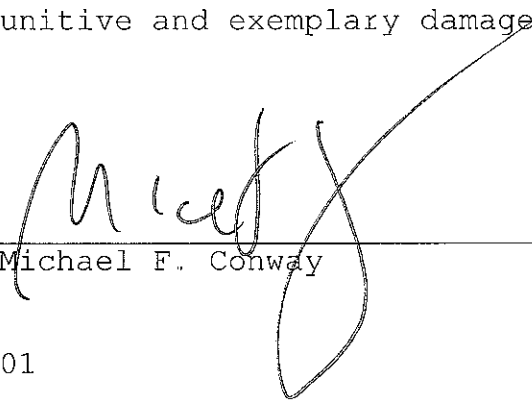
WHEREFORE the Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA AND NAJSTI ELUSTA, demands judgment against the Defendant, TOM MINEO, for the sum of ONE MILLION DOLLARS, (\$1,000,000.00) in actual or compensatory damages, plus ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) in punitive and exemplary damages.

COUNT III - FALSE IMPRISONMENT

1. On July 22, 2007 and at all times relevant, Defendant, Buffalo Wild Wings was a restaurant engaged in the sale of food for consumer purposes.
2. On said date, Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA and NAJATI ELUSTRA, were lawfully upon the premise of Buffalo Wild Wings as patrons of the establishment.
3. After receiving their final check, Plaintiffs noticed an incorrect charge on their itemized bill. They spoke to their waitress about the charge and requested an explanation as to why they were overcharged.
5. Plaintiffs were instructed to remain at their original table until the manager came to speak with them. They were not free to leave the restaurant.
6. At no time, while inside the restaurant, were Plaintiffs given an explanation as to why they were overcharged.
7. At no time, did Plaintiffs create a "disturbance" inside Defendant's establishment.
8. Without legal justification, agents of the Defendant, Buffalo Wild Wings, detained Plaintiffs within the restaurant and called the Frankfurt Police Department.
9. Defendant, Frankfurt Police Officer TOM MINEO, arrived on the scene and arrested the Plaintiffs for disorderly conduct. The Defendant, Buffalo Wild Wings, never pursued a criminal complaint and dropped all actions against the Plaintiffs.

10. The action of detaining Plaintiffs in their restaurant without legal justification, notice and an explanation by Defendant, Buffalo Wild Wings, deprived Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA and NAJATI ELUSTRA, of their individual liberties.
11. As a direct and proximate cause of Defendant's actions, Plaintiffs have suffered humiliation, indignity, disgrace, fright, shame, injury to Plaintiff's reputation and feelings, mental and physical suffering and has incurred medical expenses and loss of enjoyment of life.
12. The Defendant's actions were fraudulent, oppressive and motivated by malice and evil intent.

WHEREFORE the Plaintiffs, CRYSTAL ELUSTRA, MORIAH ELUSTRA AND NAJSTI ELUSTA, demands judgment against the Defendant, BRAD FRALICH d/b/a BUFFALO WILD WINGS for the sum of ONE MILLION DOLLARS, (\$1,000,000.00) in actual or compensatory damages, plus ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) in punitive and exemplary damages.



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